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Attorney's Docket 037003-0280728
Client Reference: 2000-30-0513A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
MITCHELL E REFF

Confirmation No: 7677

Application No.: 09/982,849

Group Art Unit: 1644

Filed: October 22, 2001

Examiner: ronald Schwadron

Title: VARIANT IGG3 RITUXAN AND THERAPEUTIC USE THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers (a total of 3 pages including this cover sheet) are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

1. Response to Restriction Requirement

PILLSBURY WINTHROP SHAW PITTMAN LLP



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RESPONSE TO RESTRICTION REQUIREMENT

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Sir:

This is in response to a restriction requirement dated June 14, 2005, wherein the examiner alleged that pending claims 1-25 were directed to 5 distinct inventions and required restriction.

I. Preliminary Remarks

This response is timely filed. Although the applicant believes no fees are necessary for consideration of this response, should the Patent Office determine that fees are required for such consideration of this response, permission is hereby granted to charge such fees to Deposit Account No. 03-3975.

II. Restriction

Citing 35 U.S.C. § 121, the examiner alleged that claims 1-25 are directed to 5 distinct inventions:

Group I. Claims 1-8 (claims directed to antibodies);

Mitchell Reff-U.S. Patent Appl. No. 09/982,849

- Group II. Claims 9-13 (claims directed to a method of depleting B cells);
- Group III. Claims 14-16 (claims directed to a method of treating B cell malignancy);
- Group IV. Claims 17 and 20-25 (claims directed to a method of inhibiting humoral immunity); and
- Group V. Claims 18-19 (claims directed to a method of treating autoimmune disease).

III. Election

The applicant hereby elects Group II (claims 9-13), without traverse.

IV. Conclusion

In view of the foregoing, the applicant submits that they have fully and properly responded to the outstanding restriction requirement. Should the examiner have any questions or comments regarding this response or the application, the examiner is invited to contact the undersigned at the number indicated.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



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